

# House File 2680 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2487)  
(SUCCESSOR TO HSB 529)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to student achievement and teacher quality  
2 program definitions and requirements and extending or changing  
3 program allocations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5334HZ 82  
6 kh/rj/8

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1 1 Section 1. Section 282.10, subsection 4, Code 2007, is  
1 2 amended to read as follows:  
1 3 4. A whole grade sharing agreement shall be signed by the  
1 4 boards of the districts involved in the agreement not later  
1 5 than February 1 of the school year preceding the school year  
1 6 for which the agreement is to take effect. The boards of the  
1 7 districts shall negotiate as part of the new or existing  
1 8 agreement the disposition of teacher quality funding provided  
1 9 under chapter 284.  
1 10 Sec. 2. Section 284.2, subsection 11, Code Supplement  
1 11 2007, is amended to read as follows:  
1 12 11. "Teacher" means an individual who holds a  
1 13 practitioner's license issued under chapter 272, or a  
1 14 statement of professional recognition issued under chapter 272  
1 15 who is employed in a nonadministrative position by a school  
1 16 district or area education agency pursuant to a contract  
1 17 issued by a board of directors under section 279.13. A  
1 18 teacher may be employed in both an administrative and a  
1 19 nonadministrative position by a board of directors and shall  
1 20 be considered a part-time teacher for the portion of time that  
1 21 the teacher is employed in a nonadministrative position.  
1 22 ~~"Teacher" includes a licensed individual employed on a less~~  
1 23 ~~than full-time basis by a school district through a contract~~  
1 24 ~~between the school district and an institution of higher~~  
1 25 ~~education with a practitioner preparation program in which the~~  
1 26 ~~licensed teacher is enrolled.~~  
1 27 Sec. 3. Section 284.7, subsection 1, paragraph a,  
1 28 subparagraph (2), Code Supplement 2007, is amended to read as  
1 29 follows:  
1 30 (2) Beginning July 1, ~~2007~~ 2008, the minimum salary for a  
1 31 beginning teacher shall be ~~twenty-six~~ twenty-eight thousand  
1 32 ~~five hundred~~ dollars.  
1 33 Sec. 4. Section 284.7, subsection 1, paragraph b,  
1 34 subparagraph (2), Code Supplement 2007, is amended to read as  
1 35 follows:  
2 1 (2) Beginning July 1, ~~2007~~ 2008, the minimum salary for a  
2 2 first-year career teacher shall be ~~twenty-seven~~ thirty  
2 3 ~~thousand five hundred~~ dollars ~~and the minimum salary for all~~  
2 4 ~~other career teachers shall be twenty-eight thousand five~~  
2 5 ~~hundred dollars.~~  
2 6 Sec. 5. Section 284.7, subsection 5, paragraph b, Code  
2 7 Supplement 2007, is amended to read as follows:  
2 8 b. If, once the minimum salary requirements of this  
2 9 section have been met by the school district or area education  
2 10 agency, and the school district or area education agency  
2 11 receiving funds pursuant to section 284.13, subsection 1,  
2 12 paragraph "h" or "i", for purposes of this section, and the  
2 13 certified bargaining representative for the licensed employees  
2 14 have not reached an agreement for distribution of the funds  
2 15 remaining, in accordance with paragraph "a", the board of  
2 16 directors shall divide the funds remaining among full-time

2 17 teachers employed by the district or area education agency  
2 18 whose regular compensation is equal to or greater than the  
2 19 minimum salary specified in this section. The payment amount  
2 20 for teachers employed on less than a full-time basis shall be  
2 21 prorated. For purposes of this paragraph, regular  
2 22 compensation means base salary plus any salary provided under  
2 23 chapter 294A.

2 24 Sec. 6. Section 284.7, subsection 5, Code Supplement 2007,  
2 25 is amended by adding the following new paragraph:  
2 26 NEW PARAGRAPH. e. A school district or area education  
2 27 agency receiving funds pursuant to section 284.13, subsection  
2 28 1, paragraph "h" or "i", shall determine the amount to be paid  
2 29 to teachers in accordance with this subsection and the amount  
2 30 determined to be paid to an individual teacher shall be  
2 31 divided evenly and paid in each pay period of the fiscal year  
2 32 beginning with the October payroll.

2 33 Sec. 7. Section 284.8, subsection 1, Code Supplement 2007,  
2 34 is amended to read as follows:

2 35 1. A school district shall review a teacher's performance  
3 1 at least once every three years for purposes of assisting  
3 2 teachers in making continuous improvement, documenting  
3 3 continued competence in the Iowa teaching standards,  
3 4 identifying teachers in need of improvement, or to determine  
3 5 whether the teacher's practice meets school district  
3 6 expectations for career advancement in accordance with section  
3 7 284.7. The review shall include, at minimum, classroom  
3 8 observation of the teacher, the teacher's progress, and  
3 9 implementation of the teacher's individual professional  
3 10 development plan, subject to the level of funding resources  
3 11 provided to implement the plan; and shall include supporting  
3 12 documentation from parents, students, and other evaluators,  
3 13 teachers, parents, and students.

3 14 Sec. 8. Section 284.13, subsection 1, paragraph a, Code  
3 15 Supplement 2007, is amended to read as follows:

3 16 a. ~~For each the fiscal year of the fiscal period~~ beginning  
3 17 July 1, ~~2007 2008~~, and ending June 30, 2009, to the department  
3 18 of education, the amount of one million ~~eighty-seven seven~~  
3 19 ~~hundred seven~~ thousand five hundred dollars for the issuance  
3 20 of national board certification awards in accordance with  
3 21 section 256.44.

3 22 ~~(1)~~ Of the amount allocated under this paragraph "a", not  
3 23 less than eighty-five thousand dollars shall be used to  
3 24 administer the ambassador to education position in accordance  
3 25 with section 256.45.

3 26 ~~(2) Of the amount allocated under this paragraph "a", for~~  
3 27 ~~the fiscal year beginning July 1, 2007, and ending June 30,~~  
3 28 ~~2008, not less than one million dollars shall be used to~~  
3 29 ~~supplement the allocation of funds for market factor teacher~~  
3 30 ~~incentives made pursuant to paragraph "f", subparagraph (1).~~

3 31 Sec. 9. Section 284.13, subsection 1, paragraphs d and e,  
3 32 Code Supplement 2007, are amended to read as follows:

3 33 d. (1) For the fiscal year beginning July 1, ~~2007 2008~~,  
3 34 and ending June 30, ~~2008 2009~~, up to ~~twenty twenty-eight~~  
3 35 million ~~five hundred thousand~~ dollars to the department for  
4 1 use by school districts for professional development as  
4 2 provided in section 284.6. Of the amount allocated under this  
4 3 paragraph, up to eight million five hundred thousand dollars

4 4 shall be provided to school districts for professional  
4 5 development related to the infusion and implementation of the  
4 6 model core curriculum prescribed in section 256.7, subsection  
4 7 26. The department shall distribute funds allocated for the

4 8 purpose of this paragraph based on the average per diem  
4 9 contract salary for each district as reported to the  
4 10 department for the school year beginning July 1, ~~2006 2007~~,  
4 11 multiplied by the total number of full-time equivalent  
4 12 teachers in the base year. The department shall adjust each  
4 13 district's average per diem salary by the allowable growth  
4 14 rate established under section 257.8 for the fiscal year  
4 15 beginning July 1, ~~2007 2008~~. The contract salary amount shall  
4 16 be the amount paid for their regular responsibilities but  
4 17 shall not include pay for extracurricular activities. These  
4 18 funds shall not supplant existing funding for professional  
4 19 development activities. Notwithstanding any provision to the  
4 20 contrary, moneys received by a school district under this  
4 21 paragraph shall not revert but shall remain available for the  
4 22 same purpose in the succeeding fiscal year. A school district  
4 23 shall submit a report to the department in a manner determined  
4 24 by the department describing its use of the funds received  
4 25 under this paragraph. The department shall submit a report on  
4 26 school district use of the moneys distributed pursuant to this  
4 27 paragraph to the general assembly and the legislative services

4 28 agency not later than January 15 of the fiscal year for which  
4 29 moneys are allocated for purposes of this paragraph.

4 30 (2) From moneys available under subparagraph (1) for the  
4 31 fiscal year beginning July 1, ~~2007~~ 2008, and ending June 30,  
4 32 ~~2008~~ 2009, the department shall allocate to area education  
4 33 agencies an amount per teacher employed by an area education  
4 34 agency that is approximately equivalent to the average per  
4 35 teacher amount allocated to the districts. The average per  
5 1 teacher amount shall be calculated by dividing the total  
5 2 number of teachers employed by school districts and the  
5 3 teachers employed by area education agencies into the total  
5 4 amount of moneys available under subparagraph (1).

5 5 (3) For the fiscal year beginning July 1, 2008, and ending  
5 6 June 30, 2009, up to one million one hundred sixty-five  
5 7 thousand dollars to the department for implementation of a  
5 8 statewide early childhood professional development system  
5 9 through the area education agencies that is designed to  
5 10 support the statewide preschool program for four-year-old  
5 11 children under chapter 256C and to the extent possible, other  
5 12 early childhood programs.

5 13 e. ~~For the each fiscal year beginning July 1, 2007, and~~  
5 14 ~~ending June 30, 2008 in which funds are appropriated for~~  
5 15 ~~purposes of this chapter,~~ an amount up to one million eight  
5 16 hundred forty-five thousand dollars to the department for the  
5 17 establishment of teacher development academies in accordance  
5 18 with section 284.6, subsection 10. A portion of the funds  
5 19 allocated to the department for purposes of this paragraph may  
5 20 be used for administrative purposes.

5 21 Sec. 10. Section 284.13, subsection 1, paragraph f, Code  
5 22 Supplement 2007, is amended by striking the paragraph.

5 23 Sec. 11. Section 284.13, subsection 1, paragraph g,  
5 24 subparagraph (3), Code Supplement 2007, is amended to read as  
5 25 follows:

5 26 (3) For the fiscal year beginning July 1, 2008, and ending  
5 27 June 30, 2009, the sum of ~~two million five~~ three hundred  
5 28 thirty-five thousand dollars. From the amount allocated for  
5 29 the fiscal year under this subparagraph, an amount up to ten  
5 30 thousand dollars shall be used for purposes of the  
5 31 pay-for-performance commission's expenses, an amount up to one  
5 32 hundred thousand dollars shall be used by the department for  
5 33 oversight and administration of the implementation pilots as  
5 34 provided in sections 284.14 and 284.14A, and an amount up to  
5 35 two hundred thousand dollars shall be used for the employment  
6 1 of an external evaluator.

6 2 Sec. 12. Section 284.11, Code Supplement 2007, is  
6 3 repealed.

#### 6 4 EXPLANATION

6 5 This bill makes changes to the student achievement and  
6 6 teacher quality program.

6 7 The bill increases the allocation for national board  
6 8 certification awards by \$620,000 for FY 2008=2009, requires  
6 9 that school districts entering into a whole grade sharing  
6 10 agreement include the disposition of student achievement and  
6 11 teacher quality funding received in the agreement, changes the  
6 12 definition of teacher for purposes of the program, raises the  
6 13 minimum beginning and first-year career teacher salaries,  
6 14 defines regular compensation, allocates \$8.5 million to school  
6 15 districts for professional development related to  
6 16 implementation of the model core curriculum, allocates  
6 17 \$1,165,000 for implementation through the area education  
6 18 agencies of a statewide early childhood professional  
6 19 development system to support the statewide preschool program,  
6 20 and extends program allocations for professional development  
6 21 for school district and area education agency teachers and for  
6 22 teacher development academies through FY 2008=2009.

6 23 The bill changes the definition of teacher to eliminate  
6 24 language related to individuals who are part-time teachers  
6 25 under a contract between a school district and a practitioner  
6 26 preparation program.

6 27 The bill increases the minimum beginning teacher's salary  
6 28 to \$28,000 from \$26,500, and increases the minimum first-year  
6 29 career teacher's salary to \$30,000 from \$27,500. The bill  
6 30 also eliminates language setting the minimum salary for all  
6 31 other career teachers at \$28,500.

6 32 When the school district or area education agency and the  
6 33 certified bargaining representative for the institution's  
6 34 licensed employees have not reached an agreement for purposes  
6 35 of distributing teacher salary funding, the bill defines  
7 1 "regular compensation" as the base salary plus any salary  
7 2 moneys provided under the educational excellence program. The  
7 3 bill also provides that the salary moneys will be divided

7 4 evenly and paid in each pay period of the fiscal year  
7 5 beginning with the October payroll.  
7 6 Currently, a school district must review a teacher's  
7 7 performance at least once every three years. The bill  
7 8 replaces the language that limits the review to certain areas  
7 9 subject to the level of funding provided, to instead make the  
7 10 limitation subject to the level of resources provided. The  
7 11 bill also eliminates a requirement that the review include  
7 12 supporting documentation from other evaluators.  
7 13 The bill reduces the fiscal year 2008=2009 allocation for  
7 14 pay=for=performance and career ladder pilots to \$335,000 from  
7 15 \$2.5 million.  
7 16 The bill eliminates future funding for market factor  
7 17 teacher incentives, repeals the language providing for the  
7 18 incentives, and eliminates obsolete language related to the  
7 19 incentives.  
7 20 LSB 5334HZ 82  
7 21 kh/rj/8